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Management, LLC**FAX**

To: Examiner TIMOTHY M. BROWN - USPTO From: Dean P. Alderucci
Fax: 703.872.9306 Pages: 21 including cover
Phone: 571.272.0773 Date: October 27, 2004
Re: Application Serial No. 09/540,034 Phone: 203-461-7035

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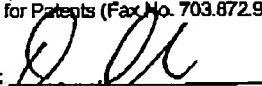
● Comments:

**FORMAL RESPONSE:
REPLY BRIEF AND REQUEST FOR ORAL HEARING**

Re: Application Serial No. 09/540,034
Walker Digital, LLC
Attorney Docket No. 99-078
Titled: "SYSTEMS AND METHODS WHEREIN A THIRD PARTY
SUBSIDY AND A MERCHANT SUBSIDY FACILITATE A
TRANSACTION"

CERTIFICATE OF TRANSMISSION

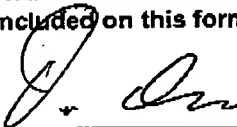
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on October 27, 2004

Dated: October 27, 2004 By: 
Dean P. Alderucci

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TRANSMITTAL LETTER (General - Patent Pending)				Docket No. 99-078	
In Re Application Of: JAY S. WALKER et al.					
Application No. 09/540,034	Filing Date March 31, 2000	Examiner BROWN, Timothy M.	Customer No. 22927	Group Art Unit 1648	Confirmation No. 2467
Title: SYSTEMS AND METHODS WHEREIN A THIRD PARTY SUBSIDY AND A MERCHANT SUBSIDY FACILITATE A TRANSACTION					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is:					
Reply Brief to Examiner's Answer, / 7 pp.; and Request for Oral Hearing, 1 pg., (x2).					
in the above identified application.					
<input type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-0271 as described below. <input checked="" type="checkbox"/> Charge the amount of \$150.00 <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ Signature			Dated: October 27, 2004		
Dean P. Alderucci Attorney for Applicants PTO Registration No. 40,484 Walker Digital, LLC 203.461.7035/phone 203.461.7300/fax DAlderucci@WalkerDigital.com			I hereby certify that this correspondence is being sent by fax to fax # 703.672.9306 addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on October 27, 2004 _____ (Date) Signature of Person Mailing Correspondence Dean P. Alderucci Typed or Printed Name of Person Mailing Correspondence		
cc:					

P18A/REV03

PTO/SB/32 (09-04)

Approved for use through 07/31/2008, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR ORAL HEARING BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) <div style="text-align: center;">99-078</div>		
I hereby certify that this correspondence is being deposited by fax to fax no. <u>793.872.9306</u> addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>October 27, 2004</u>		In re Application of JAY S. WALKER et al. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number 09/540,034</td> <td style="padding: 2px;">Filed March 31, 2000</td> </tr> </table>	Application Number 09/540,034	Filed March 31, 2000
Application Number 09/540,034	Filed March 31, 2000			
Signature <u><i>[Signature]</i></u> Typed or printed name <u>Dean P. Alderucci</u>		For Systems and methods wherein a third party subsidy and a <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Art Unit 1848</td> <td style="padding: 2px;">Examiner BROWN, Timothy M.</td> </tr> </table>	Art Unit 1848	Examiner BROWN, Timothy M.
Art Unit 1848	Examiner BROWN, Timothy M.			
Applicant hereby requests an oral hearing before the Board of Patent Appeals and Interferences in the appeal of the above-identified application.				
The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3)) \$ <u>300.00</u>				
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ <u>150.00</u>				
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<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.				
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0271</u> . I have enclosed a duplicate copy of this sheet.				
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550.				
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<input type="checkbox"/> applicant/inventor.				
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)				
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,484</u>				
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>203.461.7337</u> Telephone number				
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.				
<input checked="" type="checkbox"/> Total of <u>2</u> forms are submitted.				

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REQUEST FOR ORAL HEARING BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 99-078	
I hereby certify that this correspondence is being deposited by fax to fax no. 703.872.9306 addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>October 27, 2004</u>		In re Application of JAY S. WALKER et al. Application Number 09/540,034 Filed March 31, 2000	
Signature <u>[Signature]</u> Typed or printed name <u>Dean P. Alderucci</u>		For Systems and methods wherein a third party subsidy and a Art Unit 1648 Examiner BROWN, Timothy M.	
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<input type="checkbox"/> applicant/inventor.		<u>Dean P. Alderucci</u> Typed or printed name	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>October 27, 2004</u> Date	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,484</u>		<u>203.461.7337</u> Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.			
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